

Canyon Fuel Company, LLC
Dugout Canyon Mine
P.O. Box 1029
Wellington, Utah 84542



February 10, 2009

CONFIDENTIAL

Coal Regulatory Program
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, UT 84114-5801

RE: Revision to Mining and Reclamation Plan – [REDACTED] Appendix 3-3 of Chapter 3,
Dugout Canyon Mine, Canyon Fuel Company, LLC, C/007/039, Carbon County, Utah

Dear Sirs:

Enclosed please find four copies of changes associated with Appendix 3-3 of the Confidential Folder. Attached are a copy of the letter from the Division of Wildlife Resources (DWR) dated January 29, 2009 concerning raptor surveys in the southeastern region and a chart showing the compilation of the information collected by the DWR in the area of the Dugout Canyon Mine from 1995 to 2008.

In the past, the permittee joined other coal mine operators in collecting raptor nest information to assist the DWR in collecting information for their raptor data base. Beginning in 2009 the permittee will only collect raptor information relevant to their permitted commitments. We felt that the information previous collected by the DWR would be beneficial to incorporate into Appendix 3-3 for historic purposes. The nest numbers on the chart correspond with nest numbers on raptor survey maps within the confidential folder or in annual reports for 1995 through 2008.

The DWR letter is provided to the Division to afford understanding of the changes in 2009 to the raptor survey data to be incorporated into the annual reports or confidential folders.

A copy of this amendment will be delivered to the UDOGM Price field office. Please call with questions (435) 636-2869.

Sincerely yours,

Vicky S. Miller

cc: Dave Spillman

File in: 0070039, 2009, Incoming
Refer to:
☒ Confidential
☐ Shelf
☐ Expandable
Date 02/10/09 For additional information

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APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Canyon Fuel Company, LLC

Mine: Dugout Canyon Mine

Permit Number: C/007/039

Title: Revisions to Mining and Reclamation Plan, Appendix 3-3 of Chapter 3

Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ ☐ increase ☐ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☐ Yes ☒ No 6. Does the application require or include public notice publication?
- ☐ Yes ☒ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
- ☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
- Explain: _____
- ☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☒ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☐ Yes ☒ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
- ☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Print Name _____

Sign Name, Position, Date _____

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public _____

My commission Expires: _____, 20____

Attest: State of _____ } ss:
County of _____ }

For Office Use Only:

Assigned Tracking
Number:

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APPLICATION FOR COAL PERMIT PROCESSING

Permittee: Canyon Fuel Company, LLC

Mine: Dugout Canyon Mine

Permit Number: C/007/039

Title: Revisions to Mining and Reclamation Plan, CONFIDENTIAL POWER Appendix 3-3 Chapter 3

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED☐ Add ☒ Replace ☐ Remove

Confidential Folder, Chapter 3 Appendix 3-3

☐ Add ☐ Replace ☐ Remove☐ Add ☐ Replace ☐ Remove☐ Add ☐ Replace ☐ Remove☐ Add ☐ Replace ☐ Remove☐ Add ☐ Replace ☐ Remove☐ Add ☐ Replace ☐ Remove☐ Add ☐ Replace ☐ Remove☐ Add ☐ Replace ☐ Remove☐ Add ☐ Replace ☐ Remove☐ Add ☐ Replace ☐ Remove
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Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

2/09 These pages belong in the Mining and Reclamation Plan Confidential Folders.

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